

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, NOVEMBER 28, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:01 p.m.

Mayor O'Connor adjourned the meeting at 3:33 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend John A. Nichols,
Fairmount Baptist Church.

FILE LOCATION: MINUTES

Nov-28-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Wolfsheimer.

FILE LOCATION: MINUTES

ITEM-30: NOTED AND FILED

Matter of the request of Chevron U.S.A. Inc., by Jerald A. Holmquist, for a hearing of an appeal from the decision of the Planning Commission in denying a condition of Conditional Use Permit CUP-88-0072 , which limits the hours of operation for a gasoline service station currently operating 24 hours. The subject property (approximately 20,366 square feet) is located on the northeast corner at the intersection of San Diego Avenue and Washington Street (1832 Washington Street) and is further described as Lot 1, Parcel 27 of Fayman Subdivision Map-5787. The Zone C-1 lot is within the Uptown Community Plan area. (CUP-88-0072. District-2.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM CUP-88-0072

COUNCIL ACTION: (Tape location: A030-045.)

MOTION BY ROBERTS TO NOTE AND FILE BECAUSE FINDINGS OF CITY-WIDE SIGNIFICANCE CANNOT BE MADE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-31: NOTED AND FILED

Matter of the request of Anthony V. De Leonardis, Carl E. Frahm, Peggy Yvonne Davis, and Alberta Jones, for a hearing of an appeal from the decision of the Planning Commission in denying La Jolla Shores Planned District Permit No. 88-0753 to construct a two-story duplex. The applicant is requesting a variance to allow a 42'-0" front building width where a 30'-0" width is required per the La Jolla Shores Planned District Ordinance. The subject property is located at 8009-8011 Paseo del Ocaso and is more particularly described as Lot 16, Block 7, La Jolla Shores Unit No. 1, Map-1948. The MF-1 zoned site is within the La Jolla Shores Community Plan area. (Case-88-0753. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - LA JOLLA SHORES PLANNED DISTRICT
PERMIT NO. 88-0753

COUNCIL ACTION: (Tape location: A046-064.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE BECAUSE FINDINGS FOR THE APPEAL CANNOT BE MADE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-89-74) ADOPTED AS ORDINANCE O-17190 (New Series)

Amending Ordinance O-17098 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1988-89" by amending Exhibit B, to create and add a new class entitled "Senior Engineering Geologist" in the Engineering Occupational Group; amending Exhibits A-1 and A-2 of said Ordinance to provide a new salary rate number 80.6 for said position in the Classified Service; amending Resolution R-270952 to place the newly created class in the Supervisory Representation Unit; and amending Resolution R-270951 to approve and declare the above newly created class as eligible for regular rate overtime by placing it in Group C of said overtime eligibility Resolution R-270951.

(Introduced on 11/14/88. Council voted 7-0. Districts 6 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-300.)

CONSENT MOTION BY MCCOLL TO DISPENSE WITH THE READING AND ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-51: (O-89-52 Rev. 1) ADOPTED AS ORDINANCE O-17191 (New Series)

Approving the Mercy Mira Mesa Development Agreement between the City of San Diego and American Newland Associates.

(Case-87-0746. Mira Mesa Community Area. District-5. Introduced on 9/20/88. Council voted 6-1. Mayor voted nay. Districts 1 and 8 not present. Introduced as amended on 11/14/88 to delete the J. L. Elder Corporation. Council

voted 7-0. Districts 6 and 8 not present.)

FILE LOCATION: DEVL - MERCY MIRA MESA CONT FY89-1

COUNCIL ACTION: (Tape location: A301-371.)

MOTION BY STRUIKSMA TO ACCEPT THOSE INTERDELINEATIONS AND TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-89-84) INTRODUCED, TO BE ADOPTED ON DECEMBER 12, 1988

Introduction of an Ordinance amending Chapter VI, Article 1, Division 23, of the San Diego Municipal Code, by amending Section 61.2370, relating to Improvement Bonds; and repealing Sections 61.2371 through 61.2375, known as the San Diego Improvement District Procedural Ordinance of 1982.

CITY MANAGER SUPPORTING INFORMATION: In 1981, the City began the issuance of bonds pursuant to the Improvement Bond Act of 1915 in conjunction with developer requested assessment districts. It is much easier to administer 1915 Act bonds than 1911 Act bonds when land is subdivided, and 1915 Act bonds more marketable when individual assessments are large. At the time, there were several conflicts between 1915 Act provisions and the recently adopted Proposition 13 relating to City obligations in the event of a substantial default by property owners in making assessment payments. In order to resolve the conflicts and make the City's position of virtually no financial obligation clear, Council adopted the San Diego Improvement District Procedural Ordinance of 1982. In the ordinance, sections of the 1915 Act were modified to remove City financial obligation. In addition to the modified bond provisions, the ordinance also contained standard provisions for the conduct of assessment district proceedings. Over the past several years, the legislature has modified the 1915 Act to the point where any City obligation has been eliminated. Therefore, the need for special City provisions no longer exists. The proposed modification to the existing 1982 procedural ordinance repeals only the bond provisions and leaves the procedural sections intact.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B041-046.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-89-845) ADOPTED AS RESOLUTION R-272395

Awarding a contract to Bob Stall Chevrolet for the purchase of six 1989 Chevrolet Suburban Station Wagons, for the total cost of \$120,182.40, including tax and terms. (BID-0188/89)
Aud. Cert. 8900451.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-89-843) ADOPTED AS RESOLUTION R-272396

Awarding contracts for the purchase of automotive shop equipment for the Northeastern Police Substation for a total cost of \$36,061.19, including tax, as follows:
(BID-0147/89)

1. Westesco for Items 3, 5-11, 14, 16, 18, 22, 24-25, 28, 30, 34, 39, 55, 57-61, 64-68 and 70.
2. Ops Fleet Specialists for Items 2, 4, 12, 15, 17, 20-21, 23, 26-27, 29, 31, 46-47, 49-50 and 56.
3. Sun Electric Corp. for Items 43 and 44.
4. Bear Automotive for Item 71.

(Rancho Penasquitos Community Area. District-1.)
Aud. Cert. 8900453.

FILE LOCATION: MEET CONT FY89-4

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-848) ADOPTED AS RESOLUTION R-272397

Awarding three contracts for the purchase of General Electric, Motorola, and King Radio and Communication Parts, as may be required for a period of one year beginning December 1, 1988 through November 30, 1989, for an estimated cost of \$85,000, including tax and terms, with an option to renew the contracts for an additional one year

period under the same terms and conditions, as follows:
(BID-0189/89)

1. Syntec Communications Systems for Section I.
2. Gifford Engineering, Inc. for Sections II and III.
3. Bendix/King-Mobile Communications Division for Section IV.

FILE LOCATION: MEET CONT FY89-3

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-89-834) ADOPTED AS RESOLUTION R-272398

Awarding a contract to Paul-Munroe Hydraulics for the purchase of sixty programmable controllers for refuse trucks, for a total cost of \$29,807.42, including tax and terms. (BID-0025/89)
Aud. Cert. 8900452.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-836) ADOPTED AS RESOLUTION R-272399

Awarding a contract to Oasis Stage Werks for the purchase of one complete portable "sprung" dance floor for use in the Civic Theatre for a total estimated cost of \$35,310, including tax and terms. (BID-0172/89)
Aud. Cert. 8900444.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-844) ADOPTED AS RESOLUTION R-272400

Awarding a contingency contract to Reliable Waste Inc. for removal and disposal of rags and various other materials

from sewage flow at Pump Stations No. 1, No. 2 and No. 64, as may be required for a period of one year beginning January 1, 1989 through December 31, 1989, for a total estimated cost of \$155,000 with an option to renew the contract for an additional one year period with a price escalation not to exceed 5 percent of bid prices.

(BID-0086/89A)

(Districts-1 and 2.)

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-847) ADOPTED AS RESOLUTION R-272401

19881128

Inviting bids for the Construction of Mira Mesa Community Park - Picnic Shelter, Construction of Standley Community Park - Picnic Shelter, and South Bay Community Park - Improvements on Work Order Nos. 118926, 118930 and 118921; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$20,000 from PSD Fund 11730 to CIP-29-578, South Bay Community Park - Improvements; authorizing the expenditure of an amount not to exceed \$173,500 (\$41,500 from CIP-29-597, Mira Mesa Community Park - Picnic Shelter; \$42,000 from CIP-29-602, Standley Community Park - Picnic Shelter and \$90,000 from CIP-29-578, South Bay Community Park - Improvements) from PSD Funds for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-0262/89)

(University, Mira Mesa and Otay Mesa-Nestor Community Areas. Districts-1, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide one open picnic shelter at Mira Mesa and Standley Community Parks and two open picnic shelters at South Bay Community Park. The South Bay project also includes the widening of the parking lot driveway and new lawn in a small unfinished portion of the park.

Aud. Cert. 8900313.

FILE LOCATION: W.O. 118926, W.O. 118930, W.O. 118921
CONT - L. R. Hubbard Construction Co, Inc.
CONT FY89-3

COUNCIL ACTION: (Tape location: A372-416.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Three actions relative to the final subdivision map of
Brookview Square Unit No. 1, an 8-lot subdivision located
northeasterly of I-15 and Poway Road:
(Sabre Springs Community Area. District-1.)

Subitem-A: (R-89-989) ADOPTED AS RESOLUTION R-272402
Authorizing the execution of a Subdivision Improvement
Agreement with Pardee Construction Company for the
installation and completion of public improvements.

Subitem-B: (R-89-988) ADOPTED AS RESOLUTION R-272403
Approving the final map.

Subitem-C: (R-89-990) ADOPTED AS RESOLUTION R-272404
Approving the acceptance by the City Manager of a street
easement deed of Pardee Construction Company, granting to
the City an easement for public street purposes in a
portion of the South Half of Section 16, Township 14 South,
Range 2 West, San Bernardino Meridian; dedicating said land
as and for a public street, and naming the same Sabre Hill
Drive.

FILE LOCATION: SUBITEMS A&B: SUBD - BROOKVIEW SQUARE UNIT
NO. 1; SUBITEM C: DEED F-4734 CONT
FY89-1; DEED FY89-1

COUNCIL ACTION: (Tape location: A372-416.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108:

Two actions relative to the final subdivision map of South
Creek Parcels 35 through 48, Units No. 5 and 6, a 127-lot
subdivision located southeasterly of Poway Road and I-15:

(Sabre Springs Community Area. District-5.)

Subitem-A: (R-89-1012) ADOPTED AS RESOLUTION R-272405

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-89-1011) ADOPTED AS RESOLUTION R-272406

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION: The Resolution approving Vested Tentative Map VTM-86-0885 requires the developer to give the City fee title to Lots 123 through 126 inclusive of South Creek Parcels 38-45 Units No. 5 and 6, as well as several other lots in other units. The lots in Units No. 5 and 6 total 1.395 acres in size. The map has been prepared with Building Restricted Easements being granted over these lots, with maintenance by a Homeowners Association. The Park and Recreation Department is recommending that the City not take fee title to the property because of the liability involved in ownership and because of the future maintenance cost involved. The subdivider is forming a Homeowners Association which will own and maintain the property in question. The Association will own and maintain several other open space lots and building restricted easements in the area.

FILE LOCATION: SUBD - SOUTH CREEK PARCELS 35 THROUGH 48,
UNITS NO. 5 AND 6 CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109:

Three actions relative to the final subdivision map of Tierrasanta Norte I Unit No. 4, a 78-lot subdivision located northeasterly of Via Valarta and Clairemont Mesa Boulevard:
(Tierrasanta Community Area. District-7.)

Subitem-A: (R-89-1014) ADOPTED AS RESOLUTION R-272407

Authorizing the execution of a Subdivision Improvement Agreement with Tierrasanta L-L Partnership for the installation and completion of public improvements.

Subitem-B: (R-89-1013) ADOPTED AS RESOLUTION R-272408
Approving the final map.

Subitem-C: (R-89-1015) ADOPTED AS RESOLUTION R-272409
Approving the acceptance by the City Manager of a grant
deed of Tierrasanta L-L Partnership, granting to the City
Lot 78 of Tierrasanta Norte I Unit No. 4.

FILE LOCATION: SUBITEMS A&B: SUBD - TIERRASANTA NORTE I
UNIT NO. 4; SUBITEM C: DEED F-4735
CONT FY89-1; DEED FY89-1

COUNCIL ACTION: (Tape location: A372-416.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-1010) ADOPTED AS RESOLUTION R-272410

Authorizing the acceptance by the City Manager of two grant
deeds of Lusk/Smith-Mira Mesa North, granting to the City
Lots 138 and 139 of Lusk Mira Mesa Residential Unit No. 1.
(Mira Mesa Community Area. District-5.)

FILE LOCATION: DEED F-4736 DEED FY89-1

COUNCIL ACTION: (Tape location: A372-416.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111: (R-89-1045) CONTINUED TO DECEMBER 12, 1988

Approving the acceptance by the City Manager of a grant
deed of McComic-Westwood, Ltd., granting to the City
Parcel 6 of Parcel Map PM-12542 for open space purposes;
authorizing the expenditure of an amount not to exceed \$375
from Open Space Bond Fund 79103, in payment of Title Policy
for Parcel 6 of Parcel Map PM-12542.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Park and Recreation
and Property Departments recommend acceptance of a 5.21-acre
site which will increase the City's open space holdings in
northeast Rancho Bernardo. The donation by R.B.
McComic, Inc., is contingent upon an agreement with the City to
restrict use of the land to either open space or park purposes.
The agreement is appended to the grant deed as "Exhibit A." The

site is adjacent to land to the west already designated as open space, and to Battle Mountain which will be a future open space donation to the City.

Aud. Cert. 8900448.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A280-296.)

MOTION BY WOLFSHEIMER TO CONTINUE TO DECEMBER 12, 1988, AS REQUESTED BY ROSS FELBER. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-89-893) ADOPTED AS RESOLUTION R-272411

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owner, Robert M. Henely, for the sale of Lot 6, Block 8, Wetmore & Sandborn's Addition, known as Site 376, being a 2,962-square foot parcel located at the southerly terminus of Bancroft Street, south of Greely Avenue in Logan Heights. (See City Manager Report CMR-88-542. Southeast San Diego Community Area. District-4.)

COMMITTEE ACTION: Reviewed by PFR on 11/9/88.

Recommendation to approve the City Manager's recommendation.

Districts 1, 7 and 8 voted yea. Districts 5 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-89-1006) ADOPTED AS RESOLUTION R-272412

Approving the City Manager's Fiscal Year 1988 Annual Equal Opportunity Report on the status of the City's Equal Opportunity efforts as set forth in the City Manager's Report to the City Council.

(See City Manager Report CMR-88-570.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Three actions relative to authorizing Suggestion Awards to the following employees:

Subitem-A: (R-89-1047) ADOPTED AS RESOLUTION R-272413

Robert Hauptman - General Services - \$792.94.

Trang Huynh - Building Inspection - \$500.

Subitem-B: (R-89-1048) ADOPTED AS RESOLUTION R-272414

Elaine McGrath - Engineering & Development - \$393.

Robert Hauptman - General Services - \$258.15.

Gabriel Sanchez-Aldana - General Services - \$180.

Subitem-C: (R-89-1049) ADOPTED AS RESOLUTION R-272415

William Parsons - Fire Department - \$100.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-89-1057) ADOPTED AS RESOLUTION R-272416

Expressing sincere appreciation and gratitude to Voyd "Shorty" Beights for eight years of service on the Mission Valley Community Planning Group.

(Mission Valley Community Area. District-5.)

FILE LOCATION: MEET CONT

FY89-

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-89-1044) ADOPTED AS RESOLUTION R-272417

Excusing Mayor Maureen O'Connor from attending the City Council and Housing Commission meetings scheduled on November 7, 1988, due to other official City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-89-1030) ADOPTED AS RESOLUTION R-272418

Excusing Council Member Ron Roberts from attending the Special Meeting of the Council on November 10, 1988 to participate in the Metro State Water Tour.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-89-993) ADOPTED AS RESOLUTION R-272419

Excusing Council Member Bruce Henderson from attending all regularly scheduled Council and Committee meetings of October 31 through November 23, 1988, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-89-958) ADOPTED AS RESOLUTION R-272420

Accepting the generous donation of \$6,300 from Environmental Development Ltd., and extending appreciation to Richard Schulman for his company's generous donation of funds for ten picnic tables to be purchased and installed at the following park locations:

Six at Montgomery-Waller Park

Three at Silverwing Park

One at Palmridge Park

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This donation of \$6,300, received from Environmental Development Ltd., will be used to purchase ten outdoor concrete picnic tables for several parks in the Otay Mesa-Nestor area. The purchase and installation of six picnic tables at Montgomery-Waller Park,

three picnic tables at Silverwing Park and one picnic table at Palmridge Park, will enhance the use of these areas by the citizens of the Otay Mesa community and will provide additional tables to meet the public's demand for much needed park equipment at these parks.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-89-963) ADOPTED AS RESOLUTION R-272421

Authorizing the City Manager to file an application for the Per Capita Grant Program under the California Wildlife, Coastal, and Park Land Conservation Act of 1988 State grant assistance; authorizing the City Auditor and Comptroller to establish a fund which will earn its own interest if the grant is funded; authorizing the City Manager and the City Auditor and Comptroller to use and apply Proposition 70 Per Capita Grant funds to City-wide playground equipment and park improvement projects, in accordance with standard City procurement and construction procedures.

(See City Manager Report CMR-88-550.)

COMMITTEE ACTION: Reviewed by PFR on 11/9/88.

Recommendation to approve the City Manager's recommendation.

Districts 1, 7 and 8 voted yea. Districts 5 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-89-1034) ADOPTED AS RESOLUTION R-272422

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$1.2 million within Water Revenue Fund 41502, from the Unallocated Reserve (70679) to the Water Production Program (70310); authorizing the expenditure of an amount not to exceed \$1.2 million from Water Revenue Fund 41502, Water Production Program, for the purpose of purchasing the TMY leasehold in San Pasqual Valley;

declaring that the expenditure of such funds is contingent upon receipt by the City not only of the leasehold, but also a document satisfactory to the City Manager and City Attorney whereby all pending litigation involving the leasehold is dismissed and the lessee agrees to indemnify and release the City from any and all claims whatsoever regarding the lease and the activities conducted pursuant to the lease.

(See City Manager Report CMR-88-572. San Pasqual Valley Community Area. District-1.)

Aud. Cert. 8900428.

WU-PR-89-051.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-1054) ADOPTED AS RESOLUTION R-272423

Authorizing the execution of a first amendment to the agreement with Associated American, Ltd., to continue providing a health/wellness newsletter to City employees during the 1989 calendar year; authorizing the expenditure of an amount not to exceed \$38,000 from the Risk Management Department (084), Fund 50061 for the above purpose.

CITY MANAGER SUPPORTING INFORMATION: On January 12, 1988, City Council Resolution R-270094 authorized an agreement with Associated American, Ltd., dba The Kelly Group, to provide wellness newsletters to benefitted employees six times a year. In July, the Risk Management Department conducted a readership survey which indicated overwhelming approval of the newsletter by employees. Kelly was selected through a Request for Proposal process and the agreement included a provision for renewal. The City desires to continue this service to employees which increases knowledge to reduce health risks and encourages positive changes in lifestyle.

Aud. Cert. 8900414.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123: (R-89-1039) ADOPTED AS RESOLUTION R-272424

Authorizing the execution of a first amendment to the agreement with Boyle Engineering Corporation to provide construction documents for the Improvement of La Jolla Village Drive Bridge Over I-5 ; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$65,000 from Facilities Benefit Assessment Fund 79001 to CIP-52-041.0, La Jolla Village Drive Bridge Over I-5; authorizing the expenditure of an amount not to exceed \$65,000 from CIP-53-014.0, La Jolla Village Drive Bridge Over I-5, Fund No. 79001, for the above project.
(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On March 9, 1987, the City Council, by Resolution R-267841, authorized an agreement with Boyle Engineering Corporation to provide construction documents for Improvement of La Jolla Village Drive Bridge Over I-5. During the preliminary engineering phase, CalTrans required significant detail studies for traffic generation and traffic analysis for inclusion in the required Bridge Report. These and other CalTrans requirements resulted in the project construction schedule being delayed from the summer of 1989 to January 1990. By way of this agreement, it is possible to accelerate the project schedule allowing project construction to begin during the original summer of 1989 period. This can be accomplished by consultant designers working overtime and utilization of special consultant's structural engineers to expedite plan checking through CalTrans' officer in Sacramento. Acceleration of the construction to the summer of 1989 will allow planned development, within the University Community, to proceed on schedule.

Aud. Cert. 8900446.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-89-991) ADOPTED AS RESOLUTION R-272425

Authorizing the execution of an amendment to section 7.a of the current agreement with Counseling and Recovery Institute , to allow the Institute to name the City as a certificate holder instead of an additional insured for

liability purposes.

CITY MANAGER SUPPORTING INFORMATION: On August 1, 1988, City Council Resolution R-271555 authorized an agreement with four providers for drug and alcohol rehabilitation coverage for the Citymed Health Plan. One of the providers, the Counseling and Recovery Institute, recently contacted the Risk Management Department and stated their insurance carrier (the American Psychiatric Association) could not name the City as an additional insured on the Institute's liability policy. Instead, the City has agreed to be named a certificate holder. This is acceptable because the agreement also contains a hold harmless clause which protects the City.

McGrory/Gonzalez/LS

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-89-1050) ADOPTED AS RESOLUTION R-272426

Authorizing the execution of a first amendment to the agreement with Economic Research Associates for professional services regarding the Mercado del Barrio Project.

(Barrio Logan Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On November 17, 1987, the City of San Diego entered into an agreement with Economic Research Associates for professional services for the Mercado del Barrio Project within the Barrio Logan community (Resolution R-269754). This nine month study is funded with CDBG money allocated by City Council to the project. The current consultant contract is \$75,000. The above agreement provides for professional services to prepare an economic analysis, land use plan, urban design guidelines and implementation ordinance for developing a mixed use revitalization project. The agreement focuses upon a six-block area in the vicinity of Chicano Park and the Barrio Logan Trolley Station. Major objectives of the agreement are to preserve the community's cultural traditions and provide economic development and business opportunities for the residents of the area. Approval of this request would authorize the City Manager to amend the agreement with Economic Research Associates to incorporate additional services related to housing implementation, community

meetings and survey of potential tax increment revenue should a redevelopment area alternative be pursued. Tax increment revenue projections will address potential coordination and financing of related projects within the jurisdiction of the City of San Diego, Community College District and San Diego Unified School District. The amendment would increase the original funding authorization by \$20,000 with an estimated study completion date of November, 1988. Funds are available from the 1988 CDBG allocation to the Mercado Project, and the 1983 CDBG allocation to the Barrio Educational Cultural Activities Complex (BECA). The project has proceeded under the advice of an appointed Advisory Committee consisting of property owners, residents, business and civic interest in the Barrio Logan Community. This committee has discussed and endorsed this contract amendment.

Aud. Cert. 8900340.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-89-1040) ADOPTED AS RESOLUTION R-272427

Authorizing the execution of an agreement with the University of San Diego Law Center to develop a program in conjunction with the San Diego Law Center in which an Alternative Dispute Resolution Hearing Officer would be added to the City's Code Enforcement staff and in which an Environmental Court would be created to hear government-initiated criminal and civil actions in the area of municipal and land use law; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$62,709 from the City of San Diego to San Diego Law Center.

Aud. Cert. 8900459.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-89-815) ADOPTED AS RESOLUTION R-272428

Authorizing the execution of an agreement with Wiss, Janney, Elstner Associates, Inc., for professional design and related services for the Museum of Art Ornamentation - Seismic Reconstruction ; authorizing the expenditure of an amount not to exceed \$35,000 from CIP-37-429.0 for the above project.

(See City Manager Report CMR-88-541. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 11/9/88.

Recommendation to approve the City Manager's recommendation.

Districts 1, 7 and 8 voted yea. Districts 5 and 6 not present.

Aud. Cert. 8900310.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-89-1016) ADOPTED AS RESOLUTION R-272429

Approving Change Order No. 8, issued in connection with the contract with El Cajon Grading and Engineering, Inc., for the improvement of Sorrento Valley Road I-805 to 3,000 feet north, amounting to a net decrease in the contract price of \$107,828.84 and an extension of time of 57 working days.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

On April 10, 1987, a contract was awarded for the improvement of Sorrento Valley Road I-805 to 3,000 feet north to relocate the existing narrow winding two-lane roadway to its ultimate alignment and improve it to major street standards. Due to delays caused by unexpected poor soil conditions and the subsequent water main relocation work, the contractor was unable to complete the project by the November 15 deadline imposed by the coastal permit for the project. The coastal permit was amended to allow the contractor to complete the minimum amount of work required to leave the site in a safe and maintainable condition. All work that was not completed will be performed as part of Phase II - Improvement of Sorrento Valley Road I-805 to Sorrento Valley Boulevard which is scheduled to begin construction this fiscal year. This change order is necessary to reconcile quantities of work actually constructed with the quantities listed in the bid proposal. This change order will

result in a decrease of \$107,828.84, which is 11 percent of the contract amount of \$952,584.64, and a 57 day extension of time.

FILE LOCATION: CONT - EL CAJON GRADING AND ENGINEERING, INC. CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-89-846) ADOPTED AS RESOLUTION R-272430

Inviting bids for the Construction of Point Loma Wastewater Treatment Plant Expansion; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$1,288,080 within the Sewer Revenue Fund 41506 from the Unallocated Reserve 70697 to the Metropolitan Wastewater Construction Program 70292, CIP-46-088, Point Loma - Sedimentation Basin 9 and 10; authorizing the expenditure of an amount not to exceed \$16,320,942 from the Sewer Revenue Fund 41506, CIP-46-088, Point Loma - Sedimentation Basin 9 and 10, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; authorizing the execution of an agreement with Nolte and Associates, Consultant Engineers, to provide engineering and construc

the Construction of Point Loma Wastewater Treatment Plant Expansion project at a cost not to exceed \$1,347,623. (BID-0251/89) (District-2.)

CITY MANAGER SUPPORTING INFORMATION: In order to meet the discharge requirements for the Point Loma Wastewater Treatment Plant, as mandated by the City's National Discharge Permit, and in order to meet future Metropolitan Wastewater projections, on January 1986, the City retained engineering services with Nolte and Associates to provide construction documents for two additional sedimentation basins and a new flow distribution system at the plant. After completion of the design, a value engineering study was conducted to: 1) evaluate the design; 2) reduce costs; 3) improve long-term maintenance, and 4) improve constructability. The study

concluded that the original design met the City's criteria and is the best alternative. In addition, the study recommended some modifications to improve maintenance, and operation. These modifications are: 1) provide a vertical partitioning wall through the distribution channel and stop logs at the channel entrance and various places for isolation and dewatering; 2) addition of vent pipes to prevent gas accumulation; and 3) replacement of the air lift pumps at the channel exit with submersible pumps. The request is for authorization to advertise for bids for construction and to enter into a new agreement with Nolte and Associates to provide engineering and construction management services during construction. It is recommended that Nolte and Associates perform the construction consultant services in accordance to Council Policy 300-7 due to their familiarity and expertise and to maintain continuity of project responsibility.

Aud. Cert. 8900407.

WU-P-89-039.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: B049-080.)

MOTION BY ROBERTS TO APPROVE THE STAFF RECOMMENDATION FOR EXPANSION IN THE DEVELOPMENT FOR SEDIMENTATION BASINS 9 AND 10.

Second by Praff. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-201: (R-89-1075) ADOPTED AS RESOLUTION R-272431

Authorizing the City Attorney to execute a retainer agreement with the Law Firm of McDermott, Will and Emery, for legal services in connection with Lindbergh Field Airport Clear Zone matters; authorizing the expenditure of funds, as necessary, for the above services.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: B086-212.)

MOTION BY ROBERTS TO ADOPT THE ITEM APPROVING STAFF RECOMMENDATIONS AND TO REFER THE MATTER TO THE RULES COMMITTEE, FOR REVIEW BY THE APPROPRIATE COMMITTEE, AND TO WORK WITH THE CONSULTING ATTORNEYS AFTER THE FAA REPORT HAS BEEN ISSUED.

Second by McCarty. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-202: (R-89-1076) ADOPTED AS RESOLUTION R-272432

Authorizing the president of the City Employees Retirement System Board of Trustees to execute a Custodial Agreement with the Northern Trust Company, with offices in Chicago, Illinois, pursuant to the terms and conditions of the Custodial Agreement.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203:

Two actions relative to the design of sludge management facilities:

(See City Manager Report CMR-88-438.)

Subitem-A: (R-89-1066) ADOPTED AS RESOLUTION R-272433

Authorizing the execution of Amendment No. 2 to the agreement for consulting services with Metcalf and Eddy, Inc., for design of sludge management facilities; authorizing the expenditure of an amount not to exceed \$1,320,204 from CIP-46-055.0, "Point Loma Sludge Disposal Facilities," Sewer Revenue Fund (41506), for the above project.

Subitem-B: (R-89-1067) ADOPTED AS RESOLUTION R-272434

Authorizing the execution of Amendment No. 3 to the agreement for consulting services with Metcalf and Eddy, Inc., for design of sludge management facilities; authorizing the expenditure of an amount not to exceed \$361,880 from CIP-46-055.0, "Point Loma Sludge Disposal Facilities," Sewer Revenue Fund (41506), for the above project.

Aud. Cert. 8900365.

WU-SP-89-028.

FILE LOCATION: MEET CCONT FY89-2

COUNCIL ACTION: (Tape location: B213-544.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204:

Two actions relative to the agreement with Caltrans for the Interstate 805/Mira Mesa Boulevard Interchange:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-657) ADOPTED AS RESOLUTION R-272435

Adoption of a Resolution authorizing the execution of an agreement with Caltrans for the preparation of the Project Report and NEPA Environmental Document for the I-805/Mira Mesa Boulevard Interchange; authorizing the expenditure of an amount not to exceed sixty thousand dollars from CIP-52-446, I-805/Mira Mesa Boulevard Interchange, for the purpose of providing funds for the above project.

Subitem-B: (O-89-83) HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by establishing Capital Improvement Project CIP-52-446, I-805/Mira Mesa Boulevard Interchange; authorizing the Auditor and Comptroller to transfer the sum of \$60,000 from Fund No. 10506, to CIP-52-446, for the purpose of funding CIP-52-446, I-805/Mira Mesa Boulevard Interchange.

NOTE: See Item 334 on the the docket of Tuesday, November 29, 1988, for the introduction and adoption of the Ordinance in

Subitem B.

CITY MANAGER SUPPORTING INFORMATION: The improvement of the Interstate 805/Mira Mesa Boulevard Interchange is currently included in the State Transportation Improvement Program (STIP) and is a threshold condition within the Transportation Phasing Plan for Pacific Corporate Center in the Mira Mesa Community. This project will be funded by developers in the area. At the present time, the Phasing Plan precludes the continuance of development until the interchange is assured. The subject agreement will convey to Caltrans \$60,000 for the preparation of a Project Report and NEPA Environmental Document for the I-805/Mira Mesa Boulevard Interchange. These documents are the next necessary step towards the future construction of

on and off-ramps at this interchange. The monies that will be disbursed to Caltrans for this effort have been collected from the area developers specifically for this project.

Aud. Cert. 8900285.

FILE LOCATION: SUBITEM A: MEET; SUBITEM B: -- CONT
FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

MOTION BY McCOLL TO ADOPT SUBITEM A AND APPROVE THE HEARING FOR SUBITEM B. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-205: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 208, at the applicant's request, for further review.)

Proposal to approve the Regency Hill Development Agreement between the City of San Diego and Barnett-Range-Harbrecht/Regency Hill Associates.

The proposed development agreement would apply to approximately 33.39 acres in the Tierrasanta community.

The development agreement would assure the owner that the property could be developed in conformance with the Tierrasanta Community Plan for the five-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the north side of Friars Road between Santo Road and I-15. A brief legal description is as follows: a portion of Lot 49, Rancho Mission of San Diego, S.C.C. 348 and Lots 2 and 5, Hilltop Subdivision, Map-9577. The specific legal description is on file in the City Planning Department.

(Case-88-0907. District-7.)

Subitem-A: (R-89-476)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-77-07-36 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-477)

Adoption of a Resolution certifying that the information

contained in Environmental Mitigated Negative Declaration EMND-88-0478 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-C: (R-89-484)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-77-07-29 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-D: (O-89-43)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 209, at the applicant's request, for further review.)

Proposal to approve the Miramar Ranch North Development Agreement between the City of San Diego and BCE Development, Inc.

The proposed development agreement would apply to approximately 1,200 acres in the Miramar Ranch North community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and

services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Miramar Ranch North Community Plan, and the Miramar Ranch North Public Facilities Financing Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located generally east of I-15, southerly of Poway Road and north of Miramar Lake. A brief legal description is as follows: portions of Sections 20, 21, 27, 28, 29, 32 and 33, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.

(Case-87-0768. District-5.)

Subitem-A: (R-89-437)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-36)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 210, at the applicant's request, for further review.)

Proposal to approve the Stonecrest Development Agreement between the City of San Diego and Stonecrest Associates .

The proposed development agreement would apply to approximately 318 acres in the Serra Mesa community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Serra Mesa Community Plan; Stonecrest Specific Plan; M-1B Zone; Tentative Map TM-87-0692 for the 25-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the west side of I-15 between Aero Drive and Friars Road. A brief legal description is as follows: portion of Lot 41, Rancho Mission, Map-348; portions of Lots 43, 49 and 52, Rosedale Tract Map-825; and a portion of Lot 70, Rancho Mission, Map-823. The specific legal description is on file in the City Planning Department.
(Case-87-0770. District-5.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0509 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-53)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by

Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 211, at the applicant's request, for further review.)

Proposal to approve the McCrink Development Agreement between the City of San Diego and Edward J. McCrink.

The proposed development agreement would apply to approximately 80 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northwest quarter of Section 27, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.

(Case-88-0914. District-5.)

Subitem-A: (R-89-546)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-547)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report Addendum EIR-87-1131 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-59)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 212, at the applicant's request, for further review.)

Proposal to approve the Wuest Estate Development Agreement between the City of San Diego and Wuest Estate Company.

The proposed development agreement would apply to approximately 250 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northeast quarter of the northeast quarter and a portion of the northeast quarter of the northwest half of Section 29; and a portion of the south half of the south half, Section 20, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.
(Case-88-0908. District-5.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-57)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 213, at the applicant's request, for further review.)

Proposal to approve the USG No. 161 Development Agreement between the City of San Diego and Security First National Corporation.

The proposed development agreement would apply to approximately 40 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the

community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northwest quarter of the southeast quarter of Section 27, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.
(Case-88-0913. District-5.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-58)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: CONTINUED TO DECEMBER 12, 1988

(Continued from the meeting of November 14, 1988, Item 214,

at the applicant's request, for further review.)

Proposal to approve the Curry Development Agreement between the City of San Diego and Robert T. and Raedene Curry.

The proposed development agreement would apply to approximately 57.8 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 10-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: Parcel 2, Parcel Map PM-14909. The specific legal description is on file in the City Planning Department.
(Case-88-0915. District-5.)

Subitem-A: (R-89-548)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0168 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-549)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report Addendum EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-60)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: CONTINUED TO DECEMBER 12, 1988

(Continued from the meetings of September 6, 1988, Item 337 and September 13, 1988, Item S405; Trailed as Unfinished Business from the meeting of September 20, 1988, Item S410, due to lack of 5 affirmative votes; Continued from the meetings of September 26, 1988, Item S406 and November 14, 1988, Item 206; last continued at the applicant's request, for further review.)

Approval of the proposed Scripps Sunburst Development Agreement between the City of San Diego and Sunburst Homes Company.

The proposed development agreement would apply to approximately 56.7 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0883, Planned Residential Development Permit PRD-87-0883 and the R1-6000, R-3000, R-2500, CN and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement

is located on the north side of Pomerado Road east of the existing terminus of Fronsall Court. A brief legal description is as follows: The southwest quarter of the southwest quarter of Section 26, Township 14 South, Range 2 West, S.B.B.M. and a portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0424. District-5.)

Subitem-A: (R-89-430)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-431)

Adoption of a Resolution certifying that the information contained in Addendum 87-0883, an addendum to Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-33)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-213: CONTINUED TO DECEMBER 12, 1988

(Continued from the meetings of September 6, 1988, Item 338, and September 13, 1988, Item S406; Trailed as Unfinished Business from the meeting of September 20, 1988, Item S411, due to lack of 5 votes; Continued from the meetings of September 26, 1988, Item S407 and November 14, 1988, Item 207; last continued at the applicant's request, for further review.)

Approval of the proposed Scripps Eastview Development Agreement between the City of San Diego and ITEC Properties.

The proposed development agreement would apply to approximately 114 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0884, Planned Residential Development Permit PRD-87-0884 and the A-1-1, R-3000, R1-6000 and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement is located south of the Poway City Limits on the north and westerly sides of Pomerado Road, opposite the intersection of Beeler Canyon Road. A brief legal description is as follows: The northwest quarter of the southwest quarter; portion of the northeast quarter of the southwest quarter; portion of the northwest quarter of the southeast quarter; portion of the southeast quarter of the southwest quarter and a portion of the southwest quarter of the northeast quarter, Section 26, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0423. District-5.)

Subitem-A: (R-89-432)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-433)

Adoption of a Resolution certifying that the information contained in Addendum 87-0884, an addendum to Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-34)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-153)

MOTION BY STRUIKSMA TO CONTINUE ITEMS 205-213 TO DECEMBER 12, 1988, TO DISCUSS WITH THE ATTORNEYS FOR THE DEVELOPERS CONCEPTS EMBODIED IN SOME OF THE CHANGES IN THE AGREEMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-89-1073) ADOPTED AS RESOLUTION R-272436

Extending congratulations to each member of the USA Men's Olympic Volleyball Team for their efforts in bringing home the gold to San Diego; expressing the City's pride by joining in celebrating the gold medal victory in the Games of the XXIV Olympiad; extending heartfelt congratulations to Olympic champions: Craig Buck, Bob Ctvrtlik, Scott Fortune, Karch Kiraly, Ricci Luyties, Doug Partie, Jon Root, Eric Sato, Dave Saunders, Jeff Stork, Troy Tanner, Steve Timmons, Marv Dunphy (Head Coach), Jim Coleman (Assistant Coach), Gary Sato (Assistant Coach) and

Gary Moy (Team Manager).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A065-101.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-89-1087) ADOPTED AS RESOLUTION R-272437

Declaring the results of the Special Municipal Election held in the City of San Diego on November 8, 1988.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A419-456.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-89-1042) ADOPTED AS RESOLUTION R-272438

Authorizing the sale of Parcel B, being a portion of vacated Chollas Parkway, to the highest bidder at the November 28, 1988 auction; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid by the City of San Diego if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The subject property consists of 21,346 square feet, approximately 4,700 square feet buildable, is zoned CA and is located at the intersection of University Avenue and Chollas Parkway in Mid-City. It was created by a recent street vacation of excess Chollas Parkway right-of-way. The Public Facilities and Recreation Committee reviewed the property and recommended the sale of Parcel B at public auction. Council accepted the recommendation and authorized its sale. A public auction of this parcel is to be held in the Council Chambers the morning of November 28, 1988. The results of that auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-4738 DEED FY89-1

COUNCIL ACTION: (Tape location: A457-580.)

Motion by McColl to approve the bid and direct the City Manager to appropriate the money to the creation of the Chollas Linear Park. Second Henderson. Motion withdrawn.

MOTION BY FILNER TO AMEND COUNCIL MEMBER McCOLL'S MOTION BY AUTHORIZING THE SALE AND ELIMINATING THAT PORTION OF THE MOTION REGARDING EARMARKING OF THE FUNDS. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-89-1043) ADOPTED AS AMENDED AS RESOLUTION
R-272439

Establishing Council Policy 400-12, regarding Implementation of Water Reclamation/Reuse ; directing the City Manager to continue working with the County Water Authority on a regional Mandatory Use Ordinance as well as a Mandatory Use Ordinance Specific to the City of San Diego and its member agencies.

(See City Manager Report CMR-88-544.)

COMMITTEE ACTION: Reviewed by PSS on 11/16/88.

Recommendation to approve the Water Reclamation Policy and directed the City Manager to continue working with the County Water Authority to develop a Mandatory Use Ordinance. Districts 2, 3, 4, and 7 voted yea. District 6 not present.
WU-SP-89-066.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A583-B040.)

MOTION BY ROBERTS TO APPROVE THE POLICY AS REVISED BY ADDING THE WORD "MINIMUM". Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-89-1152) ADOPTED AS RESOLUTION R-272440

Accepting the Personnel Director's Equal Employment Opportunity Report dated November 8, 1988.

COMMITTEE ACTION: Reviewed by RULES on 11/16/88.

Recommendation to accept the Personnel Director's Report. Districts 3, 7 and Mayor voted yea. Districts 1 and 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-89-1069) ADOPTED AS RESOLUTION R-272441

Authorizing the City Manager to pay \$35,000 possessory interest taxes to the County of San Diego for taxes billed to nonprofit tennis clubs which operate municipal tennis courts for the City; authorizing the City Manager to pay \$2,792.97 possessory interest taxes to the Tierrasanta Tennis Club previously paid to the County by the Club. (See City Manager Report CMR-88-556. University City, Penasquitos, Ocean Beach, Point Loma, North Park, East San Diego, Pacific Beach, Tierrasanta, and Balboa Park Community Areas. Districts-1,2,3,6,7 and 8.)

COMMITTEE ACTION: Reviewed by PFR on 11/9/88.

Recommendation to approve the City Manager's recommendation. Districts 1, 7 and 8 voted yea. Districts 5 and 6 not present. Aud. Cert. 8900457.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S406: (R-89-945) ADOPTED AS RESOLUTION R-272442

A Resolution approved by the City Council in Closed Session on Tuesday, August 11, 1987 by the following vote: Wolfsheimer-yea; Cleator-not present; McColl-yea; Jones-not present; Struiksma-yea; Gotch-yea; McCarty-yea; Ballesteros-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to John M. Butler (Superior Court Case No. 544094, John M. Butler, et al. v. Pre-Mix Cement Company, et al.) ; authorizing the City Auditor and Comptroller to issue one check in the amount of \$100,000 made payable to John M. Butler, Robin Butler and their attorney of record, Howard B. Clayton, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of John and Robin Butler's personal injury claim as a result of an automobile accident on February 27, 1985.

Aud. Cert. 8900441.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S407:

Two actions relative to the Job Development Plan for the San Ysidro/Otay Mesa Area:

(See City Manager Report CMR-88-454. Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-566) ADOPTED AS RESOLUTION R-272443

Encouraging the Private Industry Council/Regional Employment and Training Consortium to make sufficient information and materials available to the Foreign Trade Zone Operator, so that the Operator may make use of the information and materials when describing the advantages of locating in the San Diego Foreign Trade Zone to potential users.

Subitem-B: (R-89-567) ADOPTED AS RESOLUTION R-272444

Authorizing the City Manager to include provisions in the Foreign Trade Zone Operator Agreement, that would require the Operator to make known, in a timely manner, to the Private Industry Council/Regional Employment and Training Consortium, the following: the company name, contact person, address and phone number of users committed to operating within the Foreign Trade Zone.

COMMITTEE ACTION: Reviewed by RULES on 11/16/88.

Recommendation to accept the City Manager's recommendations.

Districts 3, 7 and Mayor voted yea. Districts 1 and 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A372-416.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (R-89-1001) ADOPTED AS RESOLUTION R-272445

Authorizing the execution of an agreement with Cal Cartage Enterprises for the operation of the San Diego Foreign Trade Zone.

(See City Manager Report CMR-88-555. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 11/16/88.

Recommendation to authorize the City Manager to execute the proposed agreement. Districts 3, 7 and Mayor voted yea.

Districts 1 and 2 not present.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A372-416.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-89-1084) ADOPTED AS RESOLUTION R-272446

Declaring that the City Council does not intend to apply any section or part thereof, including, but not limited to Sections 6, 7, 9 and 11 of the Development Agreement between the City and Otay International Center, adopted by Ordinance O-16749 (New Series) on November 10, 1986, and on file in the office of the City Clerk as Document No.

OO-16749, to Parcel 1 of Parcel Map PM-15261 for so long as the United States of America retains its sovereign control of the Parcel and the Parcel is used solely for United States Government purposes directly associated with a Border Crossing facility; declaring that the City will not attempt to assess the property or include the property in any municipal improvement, utility, or maintenance district(s), as long as the property is in the ownership of the United States of America and used in its sovereign capacity.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On November 10, 1986 the City Council adopted an ordinance approving a Development Agreement with Otay International Center, owners of approximately 400 acres of industrial and commercial property on Otay Mesa, in the vicinity of the existing Second Border Crossing. The United States of America is proposing to purchase

a parcel of approximately 16 acres immediately adjacent to their existing facilities to provide for future expansion. Since the expansion of the facility would not create the impacts associated with the commercial uses permitted under the existing Development Agreement, the parties involved are requesting an acknowledgment by the City Council that it will not attempt, for so long as the Government retains ownership of the property and uses it solely for purposes associated with a border crossing facility, to implement any conditions of the Development Agreement or impose any assessment district. Staff concurs in these requests.

FILE LOCATION: DEVL - OTAY INTERNATIONAL CENTER

COUNCIL ACTION: (Tape location: B545-C074.)

MOTION BY FILNER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (R-88-1312) ADOPTED AS RESOLUTION R-272447

(Continued from the meeting of November 21, 1988, Item 116, at the City Manager's request, to await feedback from MTDB.)

Vacating an unneeded general utility easement affecting Lot 1 of Carmel Valley Inn, Map-11697, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(See City Manager Report CMR-88-564. Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: An application for the abandonment of a 12-foot-wide general utility easement has been received by the Engineering & Development Department. The easement was reserved by City Council Resolution R-264378, dated November 4, 1985, which vacated a portion of Carmel Valley Road. No facilities have been installed in this easement and cognizant City departments agree there is no prospective need for its retention. Lot 1 of Carmel Valley Inn is located north of Carmel Valley Road and is the site of the proposed Del Mar Hilton Hotel. The applicant wishes to remove this encumbrance from the property. It is therefore recommended that a Resolution of Abandonment be adopted by the City Council. WU-PR-88-079.

FILE LOCATION: DEED F-4730 DEED FY89-1

COUNCIL ACTION: (Tape location: C079-101.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCOLL. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,

Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Comments by George Stevens regarding developer agreements
Items 205-213. Remarks concerned negotiations for low
income housing.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A153-186.)

PUBLIC COMMENT:

ITEM-PC-2: REFERRED TO THE CITY MANAGER

Comments by Linda Smith regarding developer agreements
Items 205-213.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A187-215.)

PUBLIC COMMENT:

ITEM-PC-3: REFERRED TO THE CITY MANAGER

Comments by Lonna Smith regarding developer agreements for
Miramar Ranch North and sensitive lands.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A216-236.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor at 3:33 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C105).